

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP.,
Plaintiff,

v.

GOOGLE LLC,
Defendant.

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Case No. 7:24-cv-00033

JURY TRIAL DEMANDED

**DECLARATION OF MACKENZIE PALADINO IN SUPPORT OF PLAINTIFF
VIRTAMOVE, CORP.'S OPPOSITION TO GOOGLE LLC'S MOTION TO TRANSFER
(DKT. 49)**

I, Mackenzie Paladino, declare and state as follows:

1. I am a member of the State Bar of New York and an attorney at the firm of Russ August & Kabat, and one of the attorneys for Plaintiff VirtaMove, Corp. in the above-captioned action. I submit this declaration in support of Plaintiff's Opposition to Motion to Transfer. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Attached as Exhibit 01 is a true and correct excerpt from Defendant Google, LLC's Interrogatory Responses to VirtaMove in this matter. This document was marked highly confidential – attorneys eyes only by Google.

3. Attached as Exhibit 02 is a true and correct copy of Resonant Systems, Inc.'s Response to Sony Interactive Entertainment Inc.'s Petition for Writ of Mandamus, Document 9 from *In re Sony Interactive Entertainment Inc.*, Dkt. 9 (Fed. Cir. Aug. 30, 2024) without the appendix.

4. Attached as Exhibit 03 is a true and correct copy of Google's Opposed Motion to Transfer Venue in *Touchstream Technologies, Inc. v. Google, LLC.*, 6:21-cv-569-ADA (W.D. Tex. Dec. 23, 2021), as produced by Google to VirtaMove during venue discovery. This document was given Bates No. GOOG-VIRTA-00025331 and was marked confidential – outside attorneys' eyes only by Google.

5. Attached as Exhibit 04 is a true and correct copy of the Trial Witness List, Document 243 from *Touchstream Technologies, Inc. v. Google, LLC.*, 6:21-cv-569-ADA (W.D. Tex.).

6. Attached as Exhibit 05 is a true and correct excerpt from VirtaMove's Supplemental Interrogatory Responses to Google in this matter.

7. Attached as Exhibit 06 are true and correct, highlighted excerpts from the deposition of Lakshmi Prathima Devarasetty on September 20, 2024.

8. Attached as Exhibit 07 is a true and correct, partially redacted copy of the Declaration of Paul O'Leary in Support of Plaintiff VirtaMove, Corp.'s Opposition to Motion to Transfer Venue.

9. Attached as Exhibit 08 is a true and correct copy of the Declaration of Dean Huffman in Support of Plaintiff VirtaMove, Corp.'s Opposition to Motion to Transfer Venue.

10. Attached as Exhibit 09 is a true and correct copy of the Declaration of Chuck Colford in Support of Plaintiff VirtaMove, Corp.'s Opposition to Motion to Transfer Venue.

11. Attached as Exhibit 10 is a true and correct copy of the Declaration of Mark Woodward in Support of Plaintiff VirtaMove, Corp.'s Opposition to Motion to Transfer Venue.

12. Attached as Exhibit 11 is a true and correct screenshot from TravelMath.com showing that the distance between Israel and San Francisco, California is approximately 7,443 miles.

13. Attached as Exhibit 12 is a true and correct screenshot from TravelMath.com showing that the distance between Israel and Midland, Texas is approximately 7,234 miles.

14. Attached as Exhibit 13 is a true and correct copy of the Declaration of Greg O'Connor in Support of Plaintiff VirtaMove, Corp.'s Opposition to Motion to Transfer Venue.

15. Attached as Exhibit 14 is a true and correct, highlighted copy of Google's Preliminary Invalidity Contentions Cover Sheet as provided to VirtaMove.

16. Attached as Exhibit 15 is a true and correct copy of U.S. Patent No. 5,845,118.

17. Attached as Exhibit 16 is a true and correct copy of U.S. Patent No. 5,708,811.

18. Attached as Exhibit 17 are true and correct excerpts from the deposition of Leonid Vasetsky on September 18, 2024.

19. Attached as Exhibit 18 is a true and correct screenshot from TravelMath.com showing that the distance between Sao Paulo, Brazil and San Francisco, California is approximately 6,476 miles

20. Attached as Exhibit 19 is a true and correct screenshot from TravelMath.com showing that the distance between Sao Paulo, Brazil and Midland, Texas is approximately 5,293 miles.

21. Attached as Exhibit 20 is a true and correct screenshot from TravelMath.com showing that the distance between Ottawa, Canada and Midland, Texas is approximately 1,959 miles when driving and 1,688 miles when flying.

22. Attached as Exhibit 21 is a true and correct screenshot from TravelMath.com showing that the distance between Ottawa, Canada and San Francisco, California is approximately 2,901 miles when driving and 2,441 miles when flying.

23. Attached as Exhibit 22 is a true and correct photo of two of VirtaMove boxes labeled “Patents & Trademarks,” as taken by Susan Cameron.

24. Attached as Exhibit 23 is a true and correct copy of the Federal Court Management Statistics from June 2024, available at <https://www.uscourts.gov/statistics-reports/federal-court-management-statistics-june-2024>.

25. Attached as Exhibit 24 is a true and correct copy of the LinkedIn profile for David Roth as provided by Susan Cameron.

26. Attached as Exhibit 25 is a true and correct copy of of the LinkedIn profile for Ernesto Benedito, formatted for printing.

27. Attached as Exhibit 26 are true and correct excerpts from the deposition of Phil Estes on August 23, 2024.

28. Attached as Exhibit 27 is a true and correct copy of the Case Docket Control Order in *VirtaMove, Corp. v. Hewlett Packard Enterprise Company, et al.*, 2:24-cv-00093 (W.D. Tex.), Docket 54.

29. Attached as Exhibit 28 is a true and correct copy of Google’s Opposed Motion to Transfer Venue in *Flypsi, Inc. v. Google, LLC.*, 6:22-cv-00031 (W.D. Tex. July 19, 2022), as produced by Google to VirtaMove during venue discovery. This document was given Bates No. GOOG-VIRTA-00025370 and was marked confidential – outside attorneys’ eyes only by Google.

30. Attached as Exhibit 29 is a true and correct copy of the Trial Witness List, Document 289 from *Flypsi, Inc. v. Google, LLC.*, 6:22-cv-00031 (W.D. Tex.).

31. Attached as Exhibit 30 is a true and correct copy of the Protective Order in *VirtaMove, Corp. v. Hewlett Packard Enterprise Company, et al.*, 2:24-cv-00093 (W.D. Tex.), Docket 60.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on October 3, 2024, in New York, New York.

/s/ Mackenzie Paladino

Mackenzie Paladino

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